

Remarks

The Official Action rejects claims 1 and 8-9 as anticipated by ETSI TS 123 171 (the Official Action refers to 3GPP TS23.271, but the correct citation was confirmed in a telephone call with the Examiner). The Official Action claims 2-7, 10, 15-21, 24, 26-27, 32-33, and 40-51 as unpatentable over '171 in view of Parupudi et al., and rejects claims 72 and 73 as anticipated by 3GPP TS 23.271.

The previously pending claims have been replaced with new claims that conform to the elected Species I.

The new claims are directed to embodiments of the present invention that are supported generally at pages 9-12 and in which in the network or gateway conducts a privacy check after having determined that it stores a last known location of the target mobile terminal and the stored last known location satisfies requested accuracy and allowable age, and thereafter does not estimate the location of the target mobile terminal. The applied art does not disclose a system that includes these features and thus the new claims avoid the art and rejections of record.

Similar features (although not exactly the same) were found in claims 4, 43, 44, 62, 56, and 66. Claim 4 referred to one of age and accuracy and the Official Action cited '171, page 32, which mentioned accuracy but not age. Claim 43 referred to age (not accuracy), and the Official Action referred to the

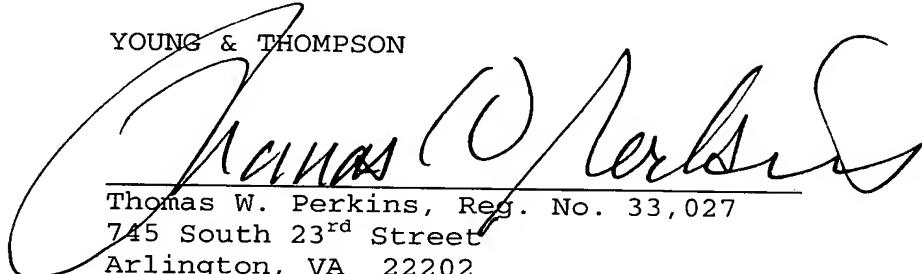
rejection of claims 4-5. However, since claim 43 included limitations not found in claims 4-5 (e.g., the age), the reference to claims 4-5 was inappropriate. Indeed, the references do not appear to mention the allowable age.

In view of the present amendment and the foregoing remarks, it is believed that the present application has been placed in condition for allowance. Reconsideration and allowance are respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON

  
Thomas W. Perkins, Reg. No. 33,027  
745 South 23<sup>rd</sup> Street  
Arlington, VA 22202  
Telephone (703) 521-2297  
Telefax (703) 685-0573  
(703) 979-4709

TWP/mjr